

AUG 14 2020
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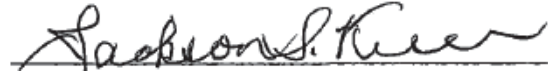
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

NOREL STERLING WARD,)	
)	
Plaintiff,)	Civil Action No. 7:20cv00119
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
AUGUSTA C.C. PERSONAL)	
PROPERTY STAFF SGT.,)	By: Hon. Jackson L. Kiser
)	Senior United States District Judge
Defendant.)	

Plaintiff Norel Sterling Ward, a Virginia inmate proceeding pro se, filed a civil action pursuant to 42 U.S.C. § 1983 against the “Augusta C.C. Personal Property Staff Sgt.” By order entered July 15, 2020, the court conditionally filed Ward’s complaint, advised him that the complaint failed to state a federal claim against because it failed to allege any facts against or conduct committed by a defendant, and gave Ward the opportunity to file an amended complaint. [See ECF No. 10.] The court advised Ward that the amended complaint would replace his original complaint and constitute the sole complaint in this action. Ward filed an amended complaint that alleges in toto: “5th Amendment nor be deprived of life, liberty, or property, without due process of law [sic]” and “Nor shall priv[ate] property be taken for public use, without just compensation.” [See ECF No. 11.] To state a cause of action under § 1983, a plaintiff must allege facts indicating that he has been deprived of rights guaranteed by the Constitution or laws of the United States and that this deprivation resulted from conduct committed by a person acting under color of state law. West v. Atkins, 487 U.S. 42 (1988). Despite being given the opportunity to amend his complaint, Ward still fails to allege

any facts against or conduct committed by the named defendant. Accordingly, I conclude that Ward's complaint fails to state a claim against the defendant and will dismiss this action without prejudice pursuant to 28 U.S.C. § 1915A(b)(1).

ENTERED this 14th day of August, 2020.

A handwritten signature in black ink, appearing to read "Jackson L. Keen", written over a horizontal line.

SENIOR UNITED STATES DISTRICT JUDGE